

HOWREY & SIMON



April 4, 2000

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Assistant Commissioner for Patents
Washington, D.C. 20231

Andrea G. Reister
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Re: U.S. Utility Patent Application
Appl. No. 09/263,098; Filed: March 5, 1999
For: **Preparation of Biodegradable, Biocompatible
Microparticles Containing A Biologically Active
Agent**
Inventors: Rickey *et al.*
Our Ref: 00166.0063.US04

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Form PTO-1083 (in duplicate);
2. Reply Under 37 C.F.R. § 1.111;
3. Terminal Disclaimer to Obviate a Double Patenting Rejection Under 37 C.F.R. § 1.321(c) for U.S. Patent No. 5,792,477;
4. Terminal Disclaimer to Obviate a Double Patenting Rejection Under 37 C.F.R. § 1.321(c) for U.S. Patent No. 5,916,598;
5. Certificate Under 37 C.F.R. § 3.73(b);
6. Check No. 325879 in the amount of \$220 for Terminal Disclaimer fees; and
7. Return post card receipt.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Andrea G. Reister (Reg. No. 36,253)

Enclosures

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FORM PTO-1083

Attorney Docket No. 00166.0063.US04

In re application of Rickey *et al.*
Appl. No. 09/263,098

Filed: March 5, 1999

For: **Preparation of Biodegradable, Biocompatible Microparticles
Containing a Biologically Active Agent**

THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- Small entity status of this application under 37 CFR §§ 1.9 and 1.27 has been established by a statement previously submitted.
- A statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- xx No additional claim fee is required.

The claim fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		O r	OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee		Rate	Addit. Fee
Total Claims	* 29	MINUS	** 29	= 0	x 9 =	\$ 00.00		x 18 =	\$ 00.00
Indep. Claims	* 3	MINUS	** 3	= 0	x 39 =	\$ 00.00		x 78 =	\$ 00.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+130 =	\$ 00.00		+ 260 =	\$ 00.00
					Total Addit. Fee	\$ 00.00	O r	TOTAL	\$ 00.00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- Please charge my Deposit Account No. 08-3038 in the amount of \$ * referencing docket number *. A duplicate copy of this sheet is attached.

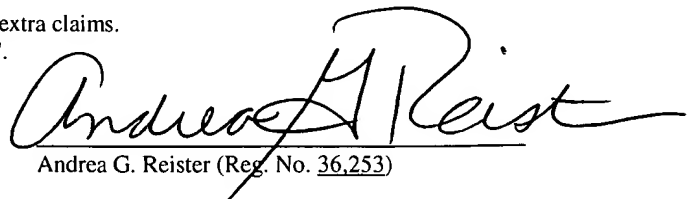
xx Check number 325879 in the amount of \$220.00 is attached for payment for filing two (2) Terminal Disclaimers.

xx The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-3038 referencing docket number 00166.0063.US04. A duplicate copy of this sheet is attached.

xx Any filing fees under 37 CFR § 1.16 for the presentation of extra claims.

xx Any patent application processing fees under 37 CFR § 1.17.

Date: April 4, 2000


Andrea G. Reister (Reg. No. 36,253)